



**CITY PLAN COMMISSION MEETING
10TH FLOOR, LARGE CONFERENCE ROOM
JULY 14, 2011
1:30 P.M.**

MINUTES

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:30 p.m. Commissioner Vandivort present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner De La Cruz
Commissioner Nance
Commissioner Wright
Commissioner Vandivort
Commissioner Vorba
Commissioner Brandrup

COMMISSIONERS ABSENT:

Commissioner Borden
Commissioner Carreto
Commissioner Landeros

AGENDA

Commissioner Nance read the rules into the record. Philip Etiwe, Development Review Manager, read the revisions to the agenda into the record.

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE** the agenda as amended.

AYES: Commissioner De La Cruz, Nance, Wright, Vorba, and Brandrup

ABSENT: Commissioner Borden, Carreto, and Landeros

Motion passed.
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I. CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Plan Commission on any items that are not on the City Plan Commission Agenda and that are within the jurisdiction of the City Plan Commission. No action shall be taken.

NO ACTION WAS TAKEN.
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II. CONSENT AGENDA

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION**, unless otherwise noted. (Items approved, postponed, or deleted pursuant to the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION** vote will be shown with an asterisk {*}).

Extension Request to Submit Recording Maps

1. **SUSU11-00047:** Americas Estates Unit Two – Being a portion of W. J. Rand Survey No. 315-½, El Paso County, Texas
Location: East of Joe Battle Boulevard and North of Rojas Drive
Property Owner: Northtowne Village Joint Venture
Representative: CEA Group
District: Eastern ETJ
Staff Contact: Frank Delgado, (915) 541-4238, delgadofx@elpasotexas.gov

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and unanimously carried to **APPROVE SUSU11-00047**.

Motion passed.
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2. **SUSU11-00050:** Enchanted Hills Unit One – Being a portion of Tracts 8 and 9C, Laura E. Mundy Survey No. 238, City of El Paso, El Paso County, Texas
Location: East of I-10 and North of Transmountain Road
Property Owner: E.P. Transmountain Residential
Representative: Roe Engineering
District: 1
Staff Contact: Kevin Smith, (915) 541-4903, smithkw@elpasotexas.gov

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and unanimously carried to **APPROVE SUSU11-00050**.

Motion passed.
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3. **SUSU11-00055** Canutillo Heights Unit Two - Being a replat of a portion of Canutillo Industrial Park, Being a portion of Lot 3, Block 6, Being a portion of Lots 3 and 6 and all of Lots 4 and 5, Block 7, Being a portion of Lots 3 and 6 and all of Lots 4 and 5, Block 8, and all of Lots 6 and 7 and a portion of Lots 4 and 5, Block 9 and a portion of Los Poblanos Drive Right-of-Way, a portion of Los Vecinos Drive Right-of-Way and a portion of Los Bordo Drive Right-of-Way and a portion of the Railroad right-of-Way within Blocks 7, 8 and 9, Canutillo Industrial Park, El Paso County, Texas
Location: West of S. Desert Boulevard and North of Los Mochis Avenue
Property Owners: Canutillo Heights Estates L.P., and Rasette Capital L.L.C.
Representative: Roe Engineering, L.C.
District: Western ETJ
Staff Contact: Frank Delgado, (915) 541-4238 delgadofx@elpasotexas.gov

***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and unanimously carried to **APPROVE SUSU11-00055.**

Motion passed.

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III. REGULAR AGENDA - DISCUSSION AND ACTION:

SUBDIVISION MAP APPROVAL:

Subdivision Applications:

Major Preliminary:

4. **SUSU11-00051:** Tierra Del Este Unit Seventy - Being a portion of Section 38, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas
- Location: North of Pebble Hills Boulevard and West of Tim Foster Drive
- Property Owner: Ranchos Real XII
- Representative: Conde, Inc.
- District: 5
- Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

Conrad Conde with Conde, Inc., concurred with staff's comments.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Vorba, and unanimously carried to **APPROVE SUSU11-00051.**

Motion passed.

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Major Combination:

5. **SUSU11-00022:** Claystone Court – Being all of Tracts 1N6 and 1N7, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas
- Location: East of Westside Drive and North of Gomez Road
- Property Owner: Keystone Residences, LLC
- Representative: CAD Consulting Co.
- District: 1
- Staff Contact: Raul Garcia, (915) 541-4935, garciar1@elpasotexas.gov

Jorge Garcia, engineer for the project, concurred with staff's comments except for the stormwater that the El Paso Water Utilities is recommending that they redesign the ponding area for Lots 1 and 7 to keep the water depth at or below 8 inches (similar to the other lots). Mr. Garcia noted that the code allows them to have 12 inches water depth.

Gonzalo Cedillos with PSB stormwater noted that this is just a recommendation and not a requirement. All they want is to balance the water level so everyone gets the same 8 inches.

Lupe Cuellar, Assistant City Attorney, again reiterated that if the request does not complies with the code the Commission can not approve it but if it does comply then the Commission has to approve it. She noted that this comment can be left in as a recommendation and not as a requirement.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Vorba, and unanimously carried to **APPROVE SUSU11-00022 WITH THE RECOMMENDATION AND NOT A REQUIREMENT THAT THE DEVELOPER USE THE 8 INCH THRESHOLD.**

Motion passed.

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6. **SUSU11-00043:** Tierra Commercial Unit Eleven - Being portion of Tract 4B, Section 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas

 Location: East of Zaragoza Road and North of Edgemere Boulevard

 Property Owner: Camino Real Properties 1, LTD.

 Representative: Conde, Inc.

 District: 5

 Staff Contact: Frank Delgado, (915) 541-4238 delgadofx@elpasotexas.gov

Frank Delgado, Planner, noted that there was a second revised staff report. Staff wants to delete the Planning recommendations as well as the DCC comments and recommend approval. The project meets the subdivision code. They are going to use an outside park dedication that's within the land study area to satisfy the parks requirements.

Richard Garcia with Parks and Recreation noted that they received additional information from the developer as far as outside credits. They are taking advantage of an outside dedication eleven-acre park and that will satisfy the requirements for the commercial off-site.

Conrad Conde with Conde, Inc., concurred with the revised staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Wright, and unanimously carried to **APPROVE SUSU11-00043 BASED ON THE REVISED PLAN TO GET THE ELEVEN ACRE OFF SIDE PARK AND THE ADDITIONAL AMENITIES TO THE EXISTING PARK.**

Motion passed.

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PUBLIC HEARING Resubdivision Combination:

7. **SUSU11-00052:** Mesa Heights Addition Fourth Amended Map Replat A – Being all of Lots 17, 18, 19, 20, 21 and the East 5 feet of Lot 22, Block 21, Mesa Heights Addition Fourth Amended Map, City of El Paso, El Paso County, Texas

 Location: South of Memphis Avenue and East of U.S. Highway 54

 Property Owner: Jose Casas

 Representative: Calderon Engineering

 District: 2

 Staff Contact: Kevin Smith, (915) 541-4903, smithkw@elpasotexas.gov

Mahny Calderon with Calderon Engineering concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request.

Ricardo Rivera spoke in favor to the request.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE SUSU11-00052.**

Motion passed.

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8. **SUSU11-00053:** Titanic Pandora – Being a portion of Tract 41, Sunrise Acres No. 2, City of El Paso, El Paso County, Texas
 Location: North of Titanic Avenue and West of Pandora Street
 Property Owner: Celso Valdez
 Representative: Barragan & Associates Inc.
 District: 2
 Staff Contact: Justin Bass, (915) 541-4930 bassjd@elpasotexas.gov

Abel Ponce with Barragan & Associates concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Vorba and unanimously carried to **APPROVE SUSU11-00053.**

Motion passed.

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PUBLIC HEARING Easement Vacation:

9. **SUET11-00002:** CL International Drive Easement Vacation – Being a portion of Lots 1 and 2, Block 1, International Industrial Center, City of El Paso, El Paso County, Texas
 Location: West of Airway Boulevard and North of Interstate 10
 Property Owner: Crawford Properties
 Representative: SLI Engineering
 District: 3
 Staff Contact: Kevin Smith, (915) 541-4903, smithkw@elpasotexas.gov

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **POSTPONE SUET11-00002 FOR TWO WEEKS, TO THE CITY PLAN COMMISSION MEETING OF JULY 28, 2011.**

Motion passed.

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PUBLIC HEARING Rezoning Applications:

10. **PZRZ11-00019:** Tract 1A4, Section 45, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
 Location: East of Joe Battle (Loop 375) and South of Maribel Chavez Court
 Zoning: R-3 (Residential)

Request: From R-3 (Residential) to C-4 (Commercial)
Existing Use: Vacant
Proposed Use: Wholesale Market
Property Owner: The Episcopal Church Diocese of the Rio Grande
Representative: Conde, Inc.
District: 5
Staff Contact: Geena Maskey, (915) 541-4192, maskeyga@elpasotexas.gov

Conrad Conde with Conde Inc., concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.1215.54

ACTION: Motion made by Commissioner Nance, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE PZRZ11-00019.**

Motion passed.

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11. **PZRZ11-00020** Tract 7E3, Block 34, Ysleta Grant, City of El Paso, El Paso County, Texas
Location: 8400 Block of Alameda Avenue, North of Prado Road
Zoning: R-F (Ranch & Farm)
Request: From R-F (Ranch & Farm) to C-1 (Commercial)
Existing Use: Vacant
Proposed Use: Multi-family (Apartments)
Property Owner: Jorge M. Sanchez
Representative: Daniel Castaneda
District: 7
Staff Contact: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **POSTPONE PZRZ11-00020 FOR TWO WEEKS, TO THE CITY PLAN COMMISSION MEETING OF JULY 28, 2011.**

Motion passed.

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12. **PZRZ11-00021:** Lots 10 thru 13, Block 2 and a remnant portion of Latta Street, Block 1, Woodlawn Subdivision, City of El Paso, El Paso County, Texas
Location: 3801 Frutas Avenue
Zoning: M-1 (Manufacturing)
Request: From M-1 (Manufacturing) to C-3 (Commercial)
Existing Use: Office/Warehouse
Proposed Use: Office, Social and Fraternal Club
Property Owners: Eva and Walter Parker
Representative: Walter Parker
District: 3
Staff Contact: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

Walter Parker concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Brandrup, and unanimously carried to **APPROVE PZRZ11-00021**.

Motion passed.

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13. **PZRZ11-00022:** Portion of Tract 3A, Nellie D. Mundy, Survey No. 240, City of El Paso, El Paso County, Texas
 Location: West of South Desert Boulevard and Southwest of Trade Center Way
 Zoning: A-2 (Apartment)
 Request: From A-2 (Apartment) to A-O (Apartment-Office)
 Existing Use: Vacant
 Proposed Use: Apartment Complex
 Property Owner: Canutillo Palms, Ltd.
 Representative: CEA Group
 District: 1
 Staff Contact: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov

Jorge Azcarate with CEA Group concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Vorba, and unanimously carried to **APPROVE PZRZ11-00022**.

Motion passed.

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PUBLIC HEARING Detailed Site Development Plan Applications:

14. **PZDS11-00010:** Lot 1, Block 5, Los Cerritos Unit Three, City of El Paso, El Paso County, Texas
 Location: 1551 Belvidere Street
 Zoning: P-R II (Planned Residential II)
 Request: Detailed Site Development Plan Review required by P-R II (Planned Residential II) zone district
 Existing Use: Church
 Proposed Use: Classroom Addition
 Property Owner: Queen of Peace Catholic Church
 Representatives: Jorge Vergen and Jesus Jaime
 District: 1
 Staff Contact: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Jesus Jaime concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Wright, and unanimously carried to **APPROVE PZDS11-00010**.

Motion passed.

15. **PZDS11-00011:** A Portion of Lot 18, Block 2, Montwood Heights Unit Four, City of El Paso, El Paso County, Texas
Location: 12400 Montwood Drive
Zoning: C-1/c (Commercial/conditions)
Request: Detailed Site Development Plan Review per Ordinance No. 011446

Existing Use: Office
Proposed Use: Credit Union
Property Owner: Oro Partners Ltd.
Representative: George R. Dipp
District: 6
Staff Contact: Geena Maskey, (915)-541-4192, maskeyga@elpasotexas.gov

George Dipp Jr., with Oro Partners concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Wright, and unanimously carried to **APPROVE PZDS11-00011.**

Motion passed.
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***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **MOVE PZDS11-00012 TO THE FOREFRONT OF THE AGENDA.**

Motion passed.

16. **PZDS11-00012:** Lot 1, Block 1, Pars Commercial Village, Replat "A", City of El Paso, El Paso County, Texas
Location: South of Montana Avenue and West of George Dieter Drive
Zoning: C-4/c/sc (Commercial/conditions/special contract)
Request: Detailed Site Development Plan Review per Ordinance No. 15907

Existing Use: Vacant
Proposed Use: Fast-food Restaurant
Property Owner: Abdolkarim Saadatkah
Representative: Del Rio Engineering
District: 5
Staff Contact: Geena Maskey, (915)-541-4192, maskeyga@elpasotexas.gov

Rick Amstater concurred with staff's comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **APPROVE PZDS11-00012.**

Motion passed.
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PUBLIC HEARING Special Permit Application:

17. **ZON11-00003:** Portion of Lots 3 and 4, Block 6, Del Norte Acres, City of El Paso, El Paso County, Texas
 Location: 8620 Gateway North Boulevard
 Zoning: C-1 (Commercial)
 Request: Special Permit for Infill Development
 Existing Use: Vacant
 Proposed Use: Office, Apartments, Retail Commercial
 Property Owner: Disabled American Veterans Northeast Chapter #187
 Representative: Don Luciano
 District: 2
 Staff Contact: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

Esther Guerrero, Planner, noted that the applicant revised the site plan. Staff is recommending approval subject to the applicant providing a lease agreement from TxDOT before proceeding to City Council.

Gerald Shipp, representing the Disabled American Veterans Northeast Chapter #187, concurred with staff comments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Wright, and unanimously carried to **APPROVE ZON11-00003.**

Motion passed.

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Other Business:

18. Discussion and action on the City Plan Commission minutes of:
 a. May 19, 2011

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Vorba, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR MAY 19, 2011.**

Motion passed.

- b. June 16, 2011

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Brandrup, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR JUNE 16, 2011.**

Motion passed.

c. June 30, 2011

ACTION: Motion made by Commissioner Nance, seconded by Commissioner Wright, and unanimously carried to **APPROVE THE CITY PLAN COMMISSION MINUTES FOR JUNE 30, 2011.**

Motion passed.

There was a brief discussion regarding the attendance of the commissioners at the meeting and the importance of attending the meetings.

Lupe Cuellar, Assistant City Attorney, noted that if a commissioner misses three consecutive meetings, the secretary for the commission should report it to the Mayor and Council so that they can take appropriate action and the appropriate action should be to remove the commissioner but it requires three consecutive misses.

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19. Comprehensive Plan Report and Update.

Staff Contact: Carlos Gallinar, (915) 541-4662, gallinarrc@elpasotexas.gov

Carlos Gallinar, Comprehensive Plan Manager, gave an update on the Comprehensive Plan. He noted that they have had successful public outreach and public participation meetings for the past few months. He noted that they have had approximately 20 large scale public meetings throughout the city and are in the process of formulating the actual text and content of the Comprehensive Plan. They will also be working on the MTP and finalizing the future land use map. The intent is to have a full comprehensive plan draft, a revised MTP, and a revised future land use map to the commission by the end of this year with the adoption of these three things going to Mayor and City Council.

The next meeting will be held on Wednesday, July 20th from 9:00am to 12:00 noon at the History Museum conference room. He noted that these meetings are posted as Special CPC meetings in case there is a quorum.

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20. An Ordinance amending Title 20 (Zoning), Appendix B (Table of Density & Dimensional Standards), Subpart B, of the El Paso City Code to revise the density regulations for apartments in the C-5 (Central Business District). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Staff Contact: Kimberly Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Art Rubio, Planner, gave a brief presentation on a proposed ordinance amendment to Title 20 (Zoning). The current standards for this district require a lot area of 750 s.f. per dwelling unit, unless there are 3 or more stories, then the minimum requirement will be 500 s.f. per dwelling unit. The current standards is considered as discouraging residential density so the proposed amendment would be that each apartment unit shall have a minimum of 400 s.f. The amendment proposes a minimum apartment dwelling unit size instead of a minimum lot area per unit to encourage density within the Central Business District.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), APPENDIX B (TABLE OF DENSITY & DIMENSIONAL STANDARDS), SUBPART B, OF THE EL PASO CITY CODE TO REVISE THE DENSITY REGULATIONS FOR APARTMENTS IN THE C-5 (CENTRAL BUSINESS DISTRICT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Motion passed.

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21. An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Section 20.04.150 (Detailed Site Development Plan Approval Procedure), to allow administrative approval of certain detailed site development plans. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

Staff Contact: Kimberly Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Art Rubio, Planner, gave a brief presentation and noted that currently the code requires that all site plans be approved by the City Plan Commission unless there is a special contract, or a condition, or if it requires City Council approval. The circumstances that would allow administrative approval as proposed would be that they would be approved per DCC and the sites would be 2 acres or less, site plan has no more than two buildings, and the site plan complies with all code requirements, and any zoning conditions, and site plan complies with all staff recommendations. All other site plans require CPC or City Council approval. Staff is proposing to delete the current language that requires signage to be shown on a detailed site development plan. This amendment would reduce the process time for the less complex developments.

Commissioner Vandivort asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

The Commission requested that staff tally the site plans that did not have to come before the commission now that it is being done administratively.

ACTION: Motion made by Commissioner De La Cruz, seconded by Commissioner Nance, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.04 (ADMINISTRATIVE PROVISIONS), SECTION 20.04.150 (DETAILED SITE DEVELOPMENT PLAN APPROVAL PROCEDURE), TO ALLOW ADMINISTRATIVE APPROVAL OF CERTAIN DETAILED SITE DEVELOPMENT PLANS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.04 OF THE EL PASO CITY CODE AND REVIEW AFTER SIX MONTHS.**

Motion passed.

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Commissioner Nance noted that several meetings back the Commission asked Mr. Shubert to look at on site ponding requirements and asked if there has there been any feed back. Mathew McElroy noted that he will ask the City Engineer to report back to the commission at the next City Plan Commission meeting.

Commissioner De La Cruz a few months ago asked staff to report back to the Commission as to those zoning cases that have been denied by the commission and approved by City Council. Mathew McElroy noted that the recent case that was in the manufacturing district that one was over turned by City Council. The Winton rezoning that was a GMU in the upper valley, the apartments by Helen of Troy were approved by Council. The case on the upper valley was appealed by the developer and will come before the council next week or the week after. He noted that the developer has changed the plans. He took out the strip commercial along the west side and replaced it with pomegranate orchids so it makes it more of a conservation subdivision and is still receiving comments from Save the Valley and other neighborhoods involved.

Art Rubio noted that the Minority Report for the Winton case is going before Council on July 26, 2011.

22. Planning Report:
N/A

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23. Legal Report:
N/A

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ADJOURNMENT:

Motion made by Commissioner Wright, seconded by Commissioner Nance, and unanimously carried to adjourn this meeting at 3:05 p.m.

Approved as to form:



Mathew McElroy, Executive Secretary, City Plan Commission